

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
17494

In Re Application Of: **Kirsten Lauridsen**



Serial No.
10/787,013

Filing Date
February 25, 2004

Examiner
UNASSIGNED

Group Art Unit
1761

Title: **NEW USE OF POLYDEXTROSE IN EDIBLE PRODUCTS, EDIBLE PRODUCTS CONTAINING POLYDEXTROSE AND PROCESSES FOR INCLUDING POLYDEXTROSE IN EDIBLE PRODUCTS**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

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Payment of Fee

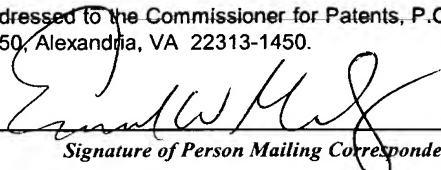
(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP**
as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
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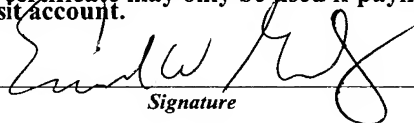
Certificate of Transmission by Facsimile*

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Edward W. Grolz	
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Signature

Dated: **June 28, 2004**

Edward W. Grolz

Registration No: 33,705

Correspondence Address:
Customer No: 23389

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Kirsten Lauridsen	Examiner:	Unassigned
Serial No.:	10/787,013	Art Unit:	1761
Filed:	February 25, 2004	Docket:	17494
For:	NEW USE OF POLYDEXTROSE IN EDIBLE PRODUCTS, EDIBLE PRODUCTS CONTAINING POLYDEXTROSE AND PROCESSES FOR INCLUDING POLYDEXTROSE IN EDIBLE PRODUCTS	Conf. No.:	3965
		Dated:	June 28, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.56, 1.97 and 1.98**

Sir:

Applicants, in order to meet their duty of disclosure, set forth at 37 C.F.R. §1.56, submit herewith those references which they deem relevant to the claims of the present application.

The relevant references are as follows:

1. U.S. Patent No: 4,622,233 (to Torres)
2. U.S. Patent No: 4,631,196 (to Zeller)
3. U.S. Patent No: 4,948,596 (to Bunick, et al.)
4. U.S. Patent No: 4,956,458 (to Luo, et al.)

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 28, 2004.

Dated: June 28, 2004


Edward W. Grolz

5. U.S. Patent No: 5,059,428 (to Wong, et al.)
6. U.S. Patent No: 5,091,015 (to Bunick, et al.)
7. U.S. Patent No: 5,262,187 (to Hahn)
8. U.S. Patent No: 5,527,554 (to Olinger, et al.)
9. U.S. Patent No: 5,573,794 (to Duflot)
10. U.S. Patent No: 5,601,863 (to Borden, et al.)
11. U.S. Patent No: 5,831,082 (to An, et al.)
12. U.S. Patent No: 6,475,552 (to Shah, et al.)
13. EP 0 259 996 A1
14. EP 0 289 461 A2
15. EP 0 821 885 B1
16. WO 92/12179
17. WO 00/40101
18. Patent Abstracts of Japan, Publication No: 02-072842
19. Patent Abstracts of Japan, Publication No: 8163965 A
20. Patent Abstracts of Japan, Publication No: 7067536 A
21. Jie, Zhong, et al., "Studies on the effects of polydextrose intake on physiologic functions in Chinese people", Am. J. Clin. Nutr. 2000; 72:1503-9.
22. Mitchell, Helen, et al., "Polydextrose", Food Science and Technology, vol. 112, 2001, pages 499-517.

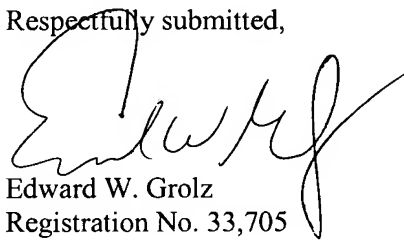
It is noted that in the case of the three Japanese publications, English abstracts are being submitted. It is noted that the remaining patent publications and journal references are in English. Also enclosed is a copy of a search report citing some of the above-identified references issued in connection with the Finnish priority application.

Applicants respectfully request that the above-mentioned references be made of record in the file of the present application. To that end, applicants submit herewith the aforementioned references and the completed Form PTO-1449, setting forth these references.

Applicants submit that the filing of this Information Disclosure Statement is before the mailing date of a first Office Action on the merits. Therefore, no Declaration or fee is required to effect the filing of this Information Disclosure Statement.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward W. Grolz', is written over the typed name and registration number.

Edward W. Grolz
Registration No. 33,705

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

EWG/nd

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)



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Applicant
Kirsten Lauridsen

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U.S. PATENT DOCUMENTS

EXAMINE R INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA	4,622,233	11/11/86	Torres			
	AB	4,631,196	12/23/86	Zeller			
	AC	4,948,596	08/14/90	Bunick, et al.			
	AD	4,956,458	09/11/90	Luo, et al.			
	AE	5,059,428	10/22/91	Wong, et al.			
	AF	5,091,015	02/25/92	Bunick, et al.			
	AG	5,262,187	11/16/93	Hahn			

		Foreign Document Number	Date	Country	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		EP 0 259 996 A1	03/16/88	EPO			X	
		EP 0 289 461 A2	11/02/88	EPO			X	
		EP 0 821 885 B1	02/04/98	EPO			X	
		WO 92/12179	07/23/92	PCT			X	
		WO 00/40101	07/13/00	PCT			X	
		JP 02-072842	03/13/90	Japan				X
		JP 8163965 A	06/25/96	Japan				X
		JP 7067536 A	03/14/95	Japan				X

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

		Jie, Zhong, et al., "Studies on the effects of polydextrose intake on physiologic functions in Chinese people", Am. J. Clin. Nutr. 2000; 72:1503-9.
		Mitchell, Helen, et al., "Polydextrose", Food Science and Technology, vol. 112, 2001, pages 499-517.

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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